

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IB2005/000162

International filing date (day/month/year)
21.01.2005

Priority date (day/month/year)
23.01.2004

International Patent Classification (IPC) or both national classification and IPC
B25C1/18

Applicant
SOCIETE DE PROSPECTION ET D'INVENTIONS ...

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/000162

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-5
	No: Claims	1
Inventive step (IS)	Yes: Claims	2-5
	No: Claims	1
Industrial applicability (IA)	Yes: Claims	1-5
	No: Claims	-

2. Citations and explanations

see separate sheet

1 Reference is made to the following documents:

D1 : EP 0 987 086 A (RAMSET) 22 March 2000 (2000-03-22)

D2 : EP 0 972 951 A (HILTI) 19 January 2000 (2000-01-19)

2 Novelty objection claim 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Document D1 discloses in column 4, lines 43-53; column 6, lines 40-49 and figures 1-8 (the references in parentheses applying to this document):

Indirect fire device for fixing fasteners (8) in a substrate material, comprising a piston for driving a fastener (8) movably mounted in a barrel and a plug guide (12 and 22) for guiding a fastener (8) towards the substrate material, the device being adapted to receive a magazine (4) for receiving a strip (6) of fasteners (8) in order to introduce the fasteners (8) one by one into the plug guide (12 and 22), each fastener (8) being held in a sleeve (40) comprising shearable means (42) for connection to another sleeve (40), the device being as such that the plug guide (12 and 22) includes a zone having an enlarged section (where 42 contacts 22) at the opening of the magazine (4) leading into the plug guide (12).

- The plug guide being considered to be the fastener guide (12) including the cam (22).

- The enlarged section being considered to be a part of cam (22), where the fins (42) contact the cam (22) (see D1 figures 1 and 8).

It is pointed out that D2 also discloses the subject-matter of claim 1 (see D2, figures 2 or 3).

3 No objections claims 2-5

The additional features of any of the dependent claims 2-5 are neither known from, nor rendered obvious by, the available prior art.

Furthermore the features of claim 2 solve the problem of how to ensure that the last fastener which is no longer connected to a strip is entirely introduced into the plug guide. This happens when the sleeve including the fastener rotates while being loaded into the plug guide and it's bridge portion is no longer in line with the groove.